

BILL ANALYSIS

Senate Research Center

H.B. 1304
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Business & Commerce
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Enrolled

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, cosmetology nail salons are not required to use autoclaves to sanitize non-disposable instruments, which puts Texas citizens at risk of contracting dangerous infections and viruses. Among the Sunset Advisory Commission's recommendations to the 79th Legislature, Regular Session, 2005, is the recommendation that these salons be required to use autoclaves to sanitize these instruments.

H.B. 1304 improves safety and sanitation by requiring the use of autoclaves to sterilize non-disposable instruments in a barbershop, specialty shop, barber school, beauty shop, or beauty culture school.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1601.506, Occupations Code, by adding Subsections (e) and (f), as follows:

(e) Sets forth certain provisions relating to a person who holds a license, certificate, or permit issued under this chapter and who performs a barbering service described by Section 1601.002(1)(E) or (F).

(f) Provides that the owner or manager of a barbershop, specialty shop, or barber school is responsible for providing an autoclave or a dry heat, ultraviolet, or other State Board of Barber Examiners (board)-approved sterilizer for use in the shop or school as required by Subsection (e). Requires an autoclave or a dry heat, ultraviolet, or other board-approved sterilizer used as required by Subsection (e) to be registered and listed with the federal Food and Drug Administration and used in accordance with the manufacturer's instructions.

SECTION 2. Amends Subchapter I, Chapter 1602, Occupations Code, by adding Section 1602.408, as follows:

Sec. 1602.408. SANITATION REQUIREMENTS FOR CERTAIN SERVICES.

(a) Sets forth certain provisions relating to a person who holds a license, certificate, or permit issued under this chapter and who performs a cosmetology service described by Section 1602.002(10) or (11).

(b) Provides that the owner or manager of a beauty shop, specialty shop, or beauty culture school is responsible for providing an autoclave or a dry heat, ultraviolet, or other Texas Cosmetology Commission (commission)-approved sterilizer for use in the shop or school as required by Subsection (a). Requires an autoclave or a dry heat, ultraviolet, or other commission-approved sterilizer used as required by Subsection (a) to be registered and listed with the federal Food and Drug Administration and used in accordance with the manufacturer's instructions.

SECTION 3. Effective date: January 1, 2006.